

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MACLAREN EUROPE LIMITED,	:
	:
Plaintiff,	:
	:
-against-	:
	:
ACE AMERICAN INSURANCE COMPANY,	:
a/k/a ACE USA,	:
	:
Defendant.	:
-----X	

INDEX No. 11 cv 4688 (HB)

DECLARATION OF SADIQ TOAMA IN OPPOSITION TO
DEFENDANT'S MOTION TO DISMISS THE COMPLAINT

SADIQ TOAMA, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am the Legal and Compliance Director of Plaintiff Maclaren Europe Limited ("MEL"). I am a Solicitor of the Senior Courts of England and Wales and I hold a practicing certificate to practice as a Solicitor in England and Wales. I am responsible for all legal and corporate compliance for MEL. I have been in this position since April 2011. I offer this Declaration in opposition to the motion defendant ACE American Insurance Company ("ACE"). The statements made herein are based upon my personal knowledge or upon information and belief.
2. MEL is an English corporation with its principal place of business and registered office in Northamptonshire, England. MEL is the exclusive European distributor of Maclaren baby strollers under a licensing agreement with Maclaren (HK) Ltd.
3. Maclaren USA, Inc. is an U.S. corporation based in Norwalk, Connecticut. Maclaren USA and was previously the North American regional distributor of Maclaren

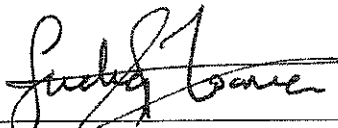
baby strollers under a licensing agreement with Maclaren (HK) Limited. Maclaren USA and MEL are wholly independent entities. Neither is a parent or subsidiary of the other. They have no common owners, directors or officers.

4. Maclaren (HK) Limited manufactures and sells Maclaren strollers. It licenses regional rights to sell Maclaren strollers to MEL, previously Maclaren USA and approximately 20 other regional distributors around the world.

5. At page 4 of its Memorandum of Law in Support of its Motion to Dismiss the Complaint, ACE states that Mr. Farzad Rastegar is a director of MEL. This is not accurate. Mr. Rastegar is not a director of MEL, nor has he been a director of MEL at any time germane to this suit. As indicated in the Current Appointments Report for Maclaren Europe Limited submitted as Exhibit A of the Declaration of ACE's counsel at page 6, Farzad Rastegar served as director of MEL during the years 2001 and 2002.

Dated: Northamptonshire, England
October 6, 2011

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.


Sadiq Toama